

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

BRENDA SPIES,  
Plaintiff,

v.

LIFE INSURANCE COMPANY OF  
NORTH AMERICA,  
Defendant.

Case No. 17-cv-02012-PJH

**NOTICE RE STIPULATION TO  
DISMISS**

Re: Dkt. No. 39

The court is in receipt of the parties stipulation to dismiss this action with prejudice, filed on June 21, 2018. However, the court is unsure what the parties seek to accomplish with that stipulation.

On May 7, 2018, the court granted defendant's motion for summary judgment. Dkt. 37. The court entered judgment in favor of defendant on the same day. Dkt. 38. Accordingly, the court cannot dismiss this action with prejudice without first vacating that judgment. The court requires further explanation before it will even consider doing so.

Within seven days of the date of this order, the parties shall submit a joint statement explaining the underlying purpose of the stipulation and, if necessary, why the entered judgment should be vacated. Alternatively, the stipulation may be withdrawn.

**IT IS SO ORDERED.**

Dated: June 22, 2018



PHYLLIS J. HAMILTON  
United States District Judge